



## COUNCILMEMBER CARL DeMAIO

FIFTH DISTRICT

CITY OF SAN DIEGO

### MEMORANDUM

DATE: July 20, 2009

TO: Ronald Villa, Program Manager

FROM: Councilmember Carl DeMaio *Carl DeMaio*

RE: Abatement of Abandoned Shopping Carts

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Per my comments at the Abandoned Vehicle Abatement Service Authority (AVA) meeting on July 9 2009, I would like to request legal counsel to review whether AVA funds can be used for the abatement of abandoned shopping carts.

Abandoned Shopping Carts have plagued the Mira Mesa area for many years. Similar to abandoned cars, motor homes and boats, abandoned shopping carts cause blight in otherwise attractive neighborhoods. Abandoned shopping carts are also a safety hazard and an overall nuisance in the community.

I am confident AVA funds could help to finally eradicate a problem that has afflicted Mira Mesa since as early as 2001. Community leaders have spent countless hours trying to find a way to either remove abandoned shopping carts from streets and sidewalks or keep them on the properties of area grocery stores. I have attached a sample of letters my office has received from residents to illustrate the frustration they face.

Thank you in advance for your review of this important issue. If you have any questions please contact John Ly in my office at 619-236-6655

CD: jl

CC: Mira Mesa Town Council

CC: San Diegans Against Abandoned Shopping Carts (SDAASC)

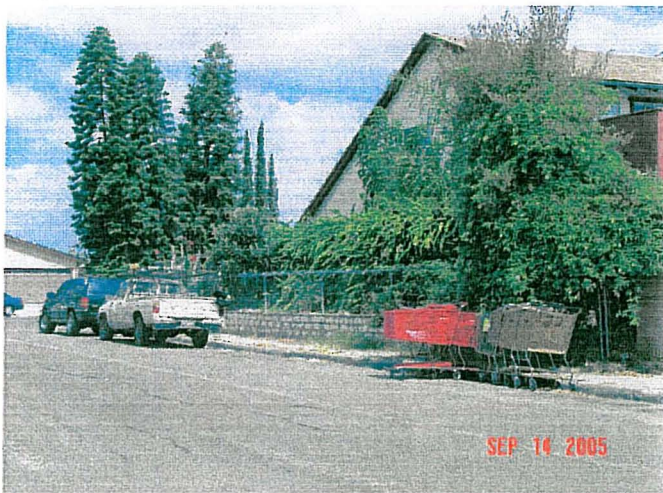
Attachment



Marbury Ave. at Chart House Street



Perseus Rd. north of Ara Pl.



Perseus Rd. viewed from Ara Pl.



Sagittarius Rd. south of Capricorn Wy.

Are these the images we should be proud of?



# MMA TOWN COUNCIL NEWSLETTER APRIL 2001

## Mira Mesa Street Fair

By Keith Flitner

Mark your calendar now for the 2001 Mira Mesa Street Fair. The first Mira Mesa Street Fair was sponsored by the Town Council in 1999 and the fair has now become a regular annual event each October. The 2001 Mira Mesa Street Fair will be Saturday, October 6. This is the first Saturday in October, which has become our traditional date. The event is held on Camino Ruiz Dr., which is the North/South street next to the Mira Mesa Branch Library, and extends the entire block from New Salem to Mira Mesa Blvd. The Mira Mesa Street Fair is completely organized and hosted by community volunteers. It has quickly earned a reputation as one of the best 'community fairs' in the county.

Approximately 15,000 people attended the 2000 Mira Mesa Street Fair. The fair offers the perfect mix of activities and vendors that reflect the wonderful atmosphere in Mira Mesa. Schools, sports groups, civic groups, businesses, crafters, churches, and food vendors all come together to celebrate life here in Mira Mesa. The Street Fair committee is dedicated to maintaining the fair's community atmosphere and minimizing the commercialization that has come with growth of many other such events around the county. For further information about participating in the Mira Mesa street fair, contact Keith Flitner at 695-7964 or visit the Town Council web site: [www.MiraMesaTownCouncil.org](http://www.MiraMesaTownCouncil.org)

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### Letter to the Editor – Keeping Shopping Carts Where They Belong

I...have had...ENOUGH!

Many of my neighbors complain about the terrible people who continue to leave shopping carts throughout our community. Unfortunately many people fail to realize that some members of our community have learned it is OK to take shopping carts. It would appear that our retail establishments have provided an implied consent for a Special Use of their carts through a lack of guidance and consequences. As a result, these retail stores have condoned this activity. These carts are then dumped on our streets, sidewalks, parks and canyons.

These carts create an eyesore and pollute our open spaces; they are also a serious hazard. I have seen carts in the way of traffic and even rolling across a street. One example of a hazard is when I witnessed children using a Marshalls shopping cart to roll down the steep sidewalks in one of our parks. The children rode inside the cart down the sidewalk into traffic. When I called the store manager, she informed me that they have no cart-retrieval service. She continued to inform me that when a cart is removed from their property they consider it stolen, collect the insurance and purchase a new cart. Even after emphasizing the danger their cart posed to these children the manager was unmoved from their policy. While further calls resulted in Marshalls picking up this cart and changing the policy, this is an example of the attitude held by some retail establishments.

Unfortunately most stores are unwilling to prosecute cart theft. Many stores have adopted an attitude of, "Customers take the carts and we'll pay a service to retrieve them." This attitude has reinforced a community belief that it is "OK" to take these carts. In fact, this attitude may result in making the act of taking carts perfectly legal. After all, these businesses know the carts are being taken and do nothing to stop it, thereby condoning it and possibly providing an implied consent.

I call upon the retail community to take immediate and decisive action to end this activity which puts a blight on our community. In my opinion it is the retailers civic, moral, ethical, and legal responsibility to secure their equipment. The fact is most people use the carts as they are intended. It is only a small number of repeat offenders that cause the problem. Not only does modern technology provide answers to this problem, but even a simple program of: 1) education, 2) supervision, and 3) in some cases prosecution will quickly stop the taking the carts.

I call upon my neighbors to pay attention to the owners of the carts you see littering our streets. In my opinion these carts indicate that the store is not behaving as a good community member. As such, they do not deserve my business. My loyalty will go to the stores who are good community members and help keep our streets clean and safe.

This is an issue, which needs your community involvement. If you would like to help, or just get more information, please send me an e-mail at: [MMShoppingCarts@aol.com](mailto:MMShoppingCarts@aol.com)

Respectfully,  
Tim W. Allen

Letters to the editor reflect the views of the authors. If you wish to send a letter to the editor, you may send it by email to [pamkeith@pacbell.net](mailto:pamkeith@pacbell.net) or by postal service using the address on the front of the Newsletter – please write "Attn: Newsletter Editor" on the envelope. All letters are subject to editing as necessary to fit them into available space.

**Ly, John**

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**From:** Ly, John  
**Sent:** Monday, December 29, 2008 3:27 PM  
**To:** [REDACTED]  
**Subject:** Shopping Carts

Mary-

I received this e-mail from Carl and wanted me to get back to you. You're not the only resident in Mira Mesa who sees this as a major problem. I have been working closely with San Diegans Against Abandoned Shopping Carts (SDAASC) and we are working to resolve this ongoing problem. In the mean time if the shopping cart is still on your property feel free to visit <http://www.cscrc.net/index.asp>. This is the company that picks up shopping carts for Target as well as other business; they have a 24 hour number to report carts. Feel free to e-mail me or call me if you have any questions.

John Ly

[JwLy@sanidiego.gov](mailto:JwLy@sanidiego.gov)

619-236-6927

Council Representative

Councilman Carl DeMaio, 5th District

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Disclosure: This email is public information. Correspondence to and from this email address is recorded any may be viewed by third parties and the public upon request.

**From:** m reb [REDACTED]  
**Sent:** Sunday, December 28, 2008 1:39 PM  
**To:** De Maio, Councilmember Carl  
**Subject:** GROCERY CARTS!

Once again there are grocery carts left on my property. I called TARGET store in Mira Mesa and the store manager PROMISED she would call and have them taken away.

They were there for Christmas and looks like they'll be there for New Years Day too.  
This is an ONGOING problem. ITS UGLY.

I, of course, am really angry about it because it affects me personally  
.....since I have to look at it!

This is a blight on Mira Mesa.  
SOMEONE in Office should care and DO SOMETHING ABOUT IT.

Mary Rebelo  
San Diego Ca 92126  
[REDACTED]

Ly, John

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**From:** Jeff Stevens [mailto:jeffstev@san.ra.com]  
**Sent:** Saturday, May 23, 2009 9:38 PM  
**To:** Jackson, Caressa  
**Cc:** Ly, John  
**Subject:** Re: shopping cart problem in Mira Mesa

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

See "Abandoned Shopping Carts" at <http://www.miramesatowncouncil.org/news.htm>. We are working on it, but it has proven difficult to make much progress. Following are some comments I sent to another inquiry on the problem recently as to why we have this problem. I get a lot of them.

1. First, the people who are taking the carts are people in the community who walk to the store and then push the shopping cart home. They then leave them on the street assuming that someone will pick them up. They do not push them all the way back to the store because it is inconvenient and are apparently not bothered by the accumulation of shopping carts on the street. If anything, they see the places where carts accumulate as de facto cart return locations.
2. Second, the stores do not see this as an economic problem because the carts are eventually returned to them and they have enough carts that it isn't a problem for them if some percentage of carts are out on the streets.
3. Given 1 and 2, the status quo is satisfactory to the people taking the carts and to the stores. It is only unsatisfactory to the community residents who have to live with the unsightly accumulation of carts on the street. That is why we need either political action or sufficient recognition of the problem by the stores and/or their business associations to solve the problem before political action is taken.
4. There is a cart retrieval service, the California Shopping Cart Retrieval Corporation, that is a subsidiary of the California Grocer's Association. It has been exceedingly ineffective. I have called in the location of carts and it has taken multiple calls over several weeks before they are picked up. After one of our meetings with Khoa at which the head of CSCRC was present, they agreed to pick up carts at locations where carts are constantly being left, and Terry and I sent them a list of where those locations are. That helped for a little while, but then they stopped doing it. The online site for reporting abandoned carts has recently been deactivated. In my opinion a proactive and rapid cart retrieval service could reduce this problem to the point of insignificance, but what we have now is not that.

Jeff

----- Original Message -----

**From:** Jackson, Caressa  
**To:** [mailto:jeffstev@san.ra.com]  
**Sent:** Tuesday, May 19, 2009 4:20 PM  
**Subject:** shopping cart problem in Mira Mesa

Hello Jeff,

I wanted to bring up the "graffiti on wheels" situation in Mira Mesa (see article in the Reader a few issues back). I have lived in Mira Mesa since 1977 and have sadly watched it go downhill quite a bit. One of the things that brings down the look of the neighborhoods and value of our homes is the shopping carts that get left all over Mira Mesa and nobody seems to care about it. The Reader article said that there was a committee that was formed in 2006. Is there such a committee still and is this being discussed in your meetings for a resolution? I really appreciate the Adopt a Wall program and I have recently donated for that, awesome idea! Any feedback on the cart situation would be nice.

Regards, Caressa